

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

JIMMY L. RODGERS,

2:10-CV-01361-SU

Petitioner,

ORDER

v.

MR. D. MILLS,

Respondent.

BROWN, Judge.

Magistrate Judge Patricia Sullivan issued Findings and Recommendation (#15) on June 20, 2011, in which she recommends this Court deny Petitioner Jimmy L. Rodger's Petition (#2) for Writ of Habeas Corpus, dismiss this matter with prejudice, and deny a certificate of appealability. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). See also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Sullivan's Findings and Recommendation (#15). Accordingly, the Court **DENIES** the Petition (#2) for Writ of Habeas Corpus, **DISMISSES** this matter **with prejudice**, and **DENIES** a certificate of appealability.

IT IS SO ORDERED.

DATED this 10th day of August, 2011.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge